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SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA

Letter dated 29 November 1993 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention an issue of great concern to the Republic of Estonia: accusations by the Russian Federation of human rights violations in Estonia.

In particular, I would like to refer you to a recent letter from the Permanent Representative of the Russian Federation to the Secretary-General, dated 23 November 1993 (A/C.3/48/18), in which a number of groundless attacks were made against Estonia's human rights record.

The Russian Federation claims that the Estonian authorities have adopted legislative and administrative acts which have worsened the situation of a large portion of Estonia's population. In reality, Estonia has enacted legislation which guarantees the human rights and fundamental freedoms of every inhabitant of Estonia and promotes and protects the rights of persons belonging to national or ethnic, religious and linguistic minorities. According to the report of the Secretary-General (A/48/511) on agenda item 115, entitled "Situation of human rights in Estonia and Latvia", the Estonian Constitution, the Estonian Law on Citizenship and the Estonian Language Law are compatible with general principles of international human rights law. Estonia's recently adopted Law on Cultural Autonomy of Minorities was praised by the High Commissioner on National Minorities of the Conference on Security and Cooperation in Europe (CSCE), Mr. Max van der Stoel, who stressed that the law could be used as a model for other countries. The accusations by the Russian Federation regarding Estonian legislation which discriminates against the ethnic Russian population in Estonia are without merit.

The Russian Federation's claim that Estonia is ignoring recommendations made by international experts, or is implementing purely cosmetic measures in response to recommendations by a number of recognized human rights experts and organizations, is not true. Estonia's Parliament passed its Law on Aliens in

July 1993 in accordance with recommendations made by experts from CSCE and the Council of Europe. The President of Estonia requested reviews by these two organizations to ensure that the law would be fully in keeping with international norms and standards. Estonia has implemented other recommendations into law, including a suggestion by the CSCE fact-finding mission in December 1992 that the language requirements for the acquisition of Estonian citizenship be significantly lowered.

Pursuant to the Estonian Law on Aliens, the Estonian Government approved a decree establishing a procedure for granting residence permits to retired foreign military personnel and their families who retired in Estonia before Estonia regained its independence. Foreign military personnel who were on active duty in Estonia after Estonia regained its independence and subsequently were demobilized, as well as members of the former Soviet security system, will be asked to leave Estonia. Although under common international practice foreign military personnel are not eligible for residency permits on the territory of another State, Estonia has decided to take this step out of humanitarian considerations for those individuals for whom the Russian Federation, despite its moral and legal obligations, has not provided decent opportunities to return home. This is a noteworthy move for Estonia since Russian troops still remain in Estonia against Estonia's will and, in fact, outnumber the Estonian defence forces two to one.

The conclusions of United Nations and other fact-finding missions to Estonia have revealed no evidence of systematic human rights violations. Thus, there is no ground for the concerns expressed by the Russian Federation regarding the human rights situation in Estonia. The Russian Federation's disregard for the conclusions of these fact-finding missions undermines the human rights mechanisms of the United Nations, to which the international community attaches great importance.

Even though the Estonian Government has invited international experts and welcomed their recommendations for facilitating the integration of resident aliens into their societies, the Russian Federation consistently refuses to recognize the conclusions of impartial experts. This pattern of refusal has become more pronounced despite positive developments in traditionally tolerant and democratic Estonia, and it adversely affects confidence-building among the residents of Estonia and the Russian Federation.

Estonia is distressed by the Russian Federation's manipulation of the Russian-speaking population in Estonia to justify Russian interference in Estonia's internal affairs when Estonian national legislation and human rights practices are in conformity with international standards.

Russian officials have made statements linking the Russian Federation's strategic interests in neighbouring States with human rights issues. The Russian Federation's claims of protecting the human rights of ethnic Russians in Estonia for the apparent sake of Russian domestic partisan political purposes has made the task of furthering good-neighbourly relations between Estonia and the Russian Federation more difficult.

Estonia is appalled by the Russian Federation's use of the phrase "ethnic cleansing" to describe the policy of the Estonian Government towards its ethnic

Russian population. The use of such terminology in these circumstances trivializes the very real and tragic problems of ethnic cleansing in other parts of the world.

Estonia is sensitive to the many political problems facing the Russian Federation today, in particular the constant internal challenges to fragile democratic institutions by Russian nationalists and extremists. Estonia supports all efforts towards democratic practices in the Russian Federation. Still, many Russian officials continue to regard the former Soviet republics and the Baltic States as their special sphere of influence. Estonia is disturbed by the trend towards acquiescence to such extremist Russian positions and hopes that democratic institutions and respect for the human rights of all people living in the Russian Federation will develop through peaceful means.

The Russian Federation's accusations of human rights violations in Estonia are unsubstantiated. Numerous human rights missions have found no evidence of systematic human rights violations or discriminatory practices in Estonia. Continued discussion of agenda item 115 would thus violate the principles of objectivity, non-selectivity and impartiality. In the light of the above, there is no need to continue this agenda item at next year's session of the General Assembly.

I request that you distribute this letter as a document of the General Assembly under agenda item 115.

(Signed) Ernst JAAKSON
Permanent Representative